C-482 630 of 2004

Hon'ble B.C. Kandpal, J.

By the present writ petition filed u/s 482 Cr.P.C., the applicant has prayed for quashing of the order passed by the appellate court, by which the appeal has been admitted against the order dated 9th December, 2004 with certain conditions.

In proceedings u/s 138 of the Negotiable Instruments Act, the Chief Judicial Magistrate, Udham Singh Nagar has imposed a penalty of one year imprisonment as well as sum of Rs. 50,000/-. On appeal the appellate court has directed for depositing 50% of the amount.

The learned District Judge, Udham Singh Nagar is directed to decide the appeal within a period of three months.

In the meantime, instead of depositing the amount, the applicant is permitted to furnish the security to the extent of 50% (fifty percent).

Subject to the aforesaid observation, the petition filed u/s 482 Cr.P.C. is disposed of.

(B.C. Kandpal, J.)

Dt. : 16.02.2005

Shiv